

Wednesday, 16th October 2002

VOTES AND PROCEEDINGS

The Session commenced at 2.00pm

Local Government Questions to Edwina Hart, the Minister for Finance, Local Government and Communities

The first 8 questions were answered. Question 7 was withdrawn.

2.21pm

Questions to Sue Essex, the Minister for Environment

The first 6 questions were answered.

2.47pm

Procedural Motion

The Business Minister proposed a procedural motion under Standing Order 6.16 to bring forward the no named day motion NNDM1174 listed under item 5 on the order paper.

A vote was taken on the procedural motion

For 39; Abstain 0; Against 0; Total 39

The procedural motion was carried.

It was agreed that items 4 and 5 would be debated together.

2.48pm

Debate on the Education Bill

NDM1172 - To propose that the National Assembly:

1. Welcomes the Education Act 2002 which received Royal Assent on 24 July 2002;
2. Welcomes that most of the Act's provisions relating to Wales are enabling in character and that the Assembly has discretionary powers as to the extent of their application in Wales;
3. Welcomes the specific sections of the Act which will take the first primary legislative steps to deliver our distinctive agenda in 'The Learning Country', our comprehensive education and lifelong learning programme to 2010 in Wales;

4. Agrees that the Welsh Assembly Government puts in hand the necessary work to begin introducing the secondary legislation required to implement the Act from December 2002.

The Education Act 2002 can be located on the Internet using the attached hyperlink.
<http://www.legislation.hmso.gov.uk/acts/acts2002/20020032.htm>

"The Learning Country" can be located on the Internet using the attached hyperlink.
<http://www.wales.gov.uk/subieducationtraining/content/learningcountry/tlc-contents-e.htm>

The following amendments were tabled:

Amendment 1 - Jonathan Morgan (South Wales Central)

At bullet point 1, replace "Welcomes" with "Notes"

Amendment 2 - Jonathan Morgan (South Wales Central)

Delete point 2 and replace with:

Welcomes the provision to enable the Assembly to ring fence school budgets and urges the Government to provide greater certainty for school funding.

Amendment 3 - Jocelyn Davies (South Wales East)

Insert at end of point 2 in motion:

' ,but regrets the failure of the Welsh Assembly Government to argue the case for the devolution of teachers' pay and conditions'

Amendment 4 - Jonathan Morgan (South Wales Central)

Delete point 3 and replace with:

Condemns the failure of the Government to allow appropriate scrutiny of the Bill before it achieved Royal Assent.

Amendment 5 - Jocelyn Davies (South Wales East)

Insert at end of point 3 in motion:

' ,but notes that the comprehensive system continues to be undermined by the principles of competition inherent in the current school funding formula'

Amendment 6 - Jonathan Morgan (South Wales Central)

Delete point 4 and replace with:

Recognises that the Education Act will increase the powers of the Government Ministers at the expense of schools and head teachers.

Amendment 7 - Jocelyn Davies (South Wales East)

Insert at end of point 4 in motion:

'whilst ensuring appropriate scrutiny by the Education Committee'

A vote was taken:

Amendment 1

For 9; Abstain 0; Against 45; Total 54

Amendment 1 was defeated.

Amendment 2

For 9; Abstain 0; Against 45; Total 54

Amendment 2 was defeated.

Amendment 3

For 14; Abstain 0; Against 40; Total 54

Amendment 3 was defeated.

Amendment 4

For 8; Abstain 14; Against 31; Total 53

Amendment 4 was defeated.

Amendment 5

For 14; Abstain 0; Against 39; Total 53

Amendment 5 was defeated.

Amendment 6

For 9; Abstain 0; Against 45; Total 54

Amendment 6 was defeated.

Amendment 7

For 24; Abstain 0; Against 30; Total 54

Amendment 7 was defeated.

The motion

For 31; Abstain 14; Against 9; Total 54

The motion was carried.

Delegation of Functions

NNDM1174 - *To propose that the National Assembly for Wales, acting under Section 62(1)(b) of the Government of Wales Act 1998, resolves to delegate to the Assembly First Minister all of its functions in or under the Education Act 2002, save those which by law cannot be so delegated.*

Nothing in this motion will have the effect of reducing the pre-eminence of the authority of the full Assembly or of reducing the role of the Assembly Committees in the exercise of the above functions.

The Education Act 2002 can be located on the Internet using the attached hyperlink: <http://www.legislation.hmso.gov.uk/acts/acts2002/20020032.htm>

A vote was taken on the motion

For 54; Abstain 0; Against 0; Total 54

The motion was carried.

4.17pm

Debate on the Agriculture and Rural Development Committee's Report on ICT in Rural Wales

NDM1173 - *To propose that the National Assembly:*

Notes the Report of the Agriculture and Rural Development Committee entitled "Report on ICT in Rural Wales", which was laid in the Table Office on 10 June 2002.

A vote was taken on the motion

For 34 ; Abstain 0; Against 0; Total 34

The motion was carried.

4.52pm

Short Debate: *NDM1171* Nick Bourne (Mid and West Wales): Putting Patients First

The session concluded at 5.20pm

The Assembly will sit again in Plenary at

2.00pm on Tuesday, 22nd October 2002

E P Silk

Clerk to the Assembly

DOCUMENTS LAID SINCE THE ASSEMBLY LAST MET

Documents laid on 16 October 2002

The Disposal of the Mid Wales Hospital - Report by the National Audit Office on behalf of the Auditor General for Wales - LD1630

Documents laid on 15 October 2002

Publication Scheme for the National Assembly for Wales - LD1603

The Fees for Inquiries (Standard Daily Amount) (Wales) Regulations 2002 - LD1604

The Town and Country Planning (Costs of Inquiries etc) (Standard Daily Amount) Regulations 2002 - LD1605

The Plastic Materials and Articles in Contact with Food (Amendment) (Wales) Regulations 2002 - LD1606

The Plastic Materials and Articles in Contact with Food (Amendment) (Wales) Regulations 2002 - Regulatory Appraisal - LD1607

The Health, Social Care and Well-being Strategies (Wales) Regulations 2003 - LD1608

The Health, Social Care and Well-being Strategies (Wales) Regulations 2003 - Regulatory Appraisal - LD1609

The Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuffs) (England and Wales) (Amendment) (No.2) Regulations 2002 - LD1610

The Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuffs) (England and Wales) (Amendment) (No.2) Regulations 2002 - Regulatory Appraisal - LD1611

The Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuffs) (England and

Wales) (Amendment) (No.2) Regulations 2002 - Supporting Table - LD1612

Documents laid on 14 October 2002

The Special Educational Needs Tribunal (Amendment) Regulations 2002 - LD1600

The Special Educational Needs Tribunal (Amendment) Regulations 2002 - Explanatory Memorandum - LD1601

Local Government Finance (Wales) Special Grant Report (No 10) (Wales) 2002 - LD1602